

HEARING DATE AND TIME: August 5, 2019 at 2:00 p.m. (Eastern Time)

OBJECTION DEADLINE: July 29, 2019 at 4:00 p.m. (Eastern Time)

BINDER & SCHWARTZ LLP

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*Attorneys for the Motors Liquidation
Company Avoidance Action Trust*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

MOTORS LIQUIDATION COMPANY, f/k/a
GENERAL MOTORS CORPORATION, *et al.*,

Chapter 11

Case No. 09-50026 (MG)
(Jointly Administered)

Debtors.

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MOTORS LIQUIDATION COMPANY AVOIDANCE ACTION
TRUST, by and through the Wilmington Trust Company, solely
in its capacity as Trust Administrator and Trustee,

Plaintiff,

Adversary Proceeding

against

Case No. 09-00504 (MG)

JPMORGAN CHASE BANK, N.A., *et al.*,

Defendants.

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**NOTICE OF HEARING ON MOTION OF MOTORS LIQUIDATION COMPANY
AVOIDANCE ACTION TRUST FOR ENTRY OF AN ORDER PURSUANT TO
SECTIONS 105 AND 1142 OF THE BANKRUPTCY CODE AND
BANKRUPTCY RULE 3020 APPROVING THE DISTRIBUTION
PLAN TO THE AVOIDANCE ACTION TRUST'S BENEFICIARIES**

PLEASE TAKE NOTICE that Wilmington Trust Company, solely in its capacity as trust administrator and trustee (the “**Trust Administrator**”) of the Motors Liquidation Company Avoidance Action Trust (the “**AAT**”), as established under the Debtors’ Second Amended Joint Chapter 11 Plan dated as of March 18, 2011 [Bankr. Dkt. No. 9836] (as confirmed, the “**Plan**”) of the above-captioned post-effective date debtors (the “**Debtors**”), submits this motion (the “**Motion**”), pursuant to sections 105(a) and 1142(b) of title 11 of the United States Code and Rule 3020(d) of the Federal Rules of Bankruptcy Procedure, seeking entry of an order, substantially in the form attached to the Motion as Exhibit B (the “**Distribution Order**”), (i) approving the AAT’s plan for distributing proceeds of the Term Loan Avoidance Action to the AAT’s beneficiaries; (ii) approving the procedures for identifying holders of Allowed General Unsecured Claims and the notice to be provided to them; (iii) authorizing the AAT to take all other actions necessary or appropriate to effectuate the distribution to its beneficiaries; and (iv) granting such other and further relief as the Court deems necessary, and that a hearing will be held before the Honorable Judge Martin Glenn, United States Bankruptcy Judge, in Room 523 of the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004, on **August 5 at 2:00 p.m. (Eastern Time)**, or as soon thereafter as counsel may be heard.

PLEASE TAKE FURTHER NOTICE that any responses or objections to this Motion must be in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court, and shall be filed with the Bankruptcy Court (a) electronically in accordance with General Order M-399 (which can be found at www.nysb.uscourts.gov) by registered users of the Bankruptcy Court’s filing system, and (b) by all other parties in interest, on a CD-ROM or 3.5 inch disk, in text-searchable portable document format (PDF) (with a hard copy

delivered directly to Chambers), in accordance with the customary practices of the Bankruptcy Court and General Order M-399, to the extent applicable, and served in accordance with General Order M-399 and on Binder & Schwartz LLP, attorneys for Wilmington Trust Company as Avoidance Action Trust Administrator, 366 Madison Avenue, 6th Floor, New York, New York 10017 (Attn: Eric B. Fisher, Esq. & Neil S. Binder, Esq.), so as to be received no later than **July 29, 2019 at 4:00 p.m. (Eastern Time)** (the “**Objection Deadline**”).

PLEASE TAKE FURTHER NOTICE that if no objections are timely filed and served with respect to the Motion, the Trust Administrator may, on or after the Objection Deadline, submit to the Bankruptcy Court an order substantially in the form of the proposed order annexed to the Motion, which order may be entered with no further notice or opportunity to be heard offered to any party.

Dated: July 8, 2019
New York, New York

Respectfully submitted,

BINDER & SCHWARTZ LLP

/s/ Eric B. Fisher

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